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Attorney for Plaintiff,
Jose Vera

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE VERA) Case No: CV 09-03626-CW
)
Plaintiff,) Hon. Claudia Wilken
)
vs.)
)
AURORA LOAN SERVICES LLC;)
CAL-WESTERN RECONVEYANCE)
CORPORATION;)
DEUTSCHE BANK TRUST COMPANY) STIPULATION AND ORDER
AMERICAS, IN TRUST FOR, RESIDENTIAL) RE REPLY TO OPPOSITION TO
ACCREDIT LOANS, INC. MORTGAGE) MOTIONS TO DISMISS (ORIGINALLY
ASSET-BACKED PASS-THROUGH) SET FOR HEARING ON FEBRUARY 18,
CERTIFICATES, SERIES 2005-QO4;) 2010)
MORTGAGE ELECTRONIC)
REGISTRATION SYSTEMS, INC.;)
HOMECOMINGS FINANCIAL, LLC;)
HOMECOMINGS FINANCIAL NETWORK,)
INC., a business organization, form unknown;)
TRIMERICA MORTGAGE CORPORATION,)
a business organization, form unknown.)

1 Plaintiff Jose Vera ("Plaintiff"), by and through counsel of record, and Defendants
2 Homecomings Financial, LLC ("Homecomings"), GMAC Mortgage Corporation ("GMAC"), ,
3 by and through their respective counsel of record stipulate as follows:

4 WHEREAS all parties have in principal agreed on a proposed settlement in the above
5 action and are making a good faith effort to dedicate the resolution to a final writing;

6 WHEREAS it is believed by all parties that such settlement may be achieved without
7 further involvement by the court;

8 WHEREAS Plaintiff's agreement to the proposed settlement is contingent upon the
9 final preparation and production of documents within the control of a third-party (Aurora Loan
10 Services, LLC) and that such documents are believed to be forthcoming;

11 WHEREAS it is believed by all parties that such settlement will result in the dismissal
12 of all parties to the action;

13 WHEREAS Homecomings and GMAC have a reply due to Plaintiff's Opposition
14 Defendants' Motion to Dismiss the Second Amended Complaint by February 18, 2010;

15 WHEREAS all parties believe justice will be furthered and judicial resources conserved
16 if Homecomings and GMAC are allowed additional time to reply to Plaintiff's Opposition to
17 Defendants' Motion to Dismiss the Second Amended Complaint—the parties believe that
18 additional time will allow them to complete the settlement agreements and will lead to dismissal
19 of the case without the need for the court to decide the motion to dismiss;

20 IT IS HEREBY STIPULATED, and the parties request that the Court Order that any
21 reply by Homecomings and GMAC to Plaintiff's Opposition to Defendants' Motion to Dismiss
22 the Second Amended Complaint be filed no later than March 18, 2010. Alternatively, the parties
23 request that the Court continue the hearing date to at least April 1, 2010, making Homecomings
24 and GMAC Reply due on March 18, 2010.

25 **IT IS SO STIPULATED.**

1 DATED: February 16, 2010

2 LAW OFFICE OF ALLAN J. CORY

3
4 By: /S/ Allan Cory

5 Allan J. Cory

6 Attorney for Plaintiff JOSE VERA

7 DATED: February 16, 2010

8
9 PALMER, LOMBARDI & DONOHUE LLP

10
11 By: /S/ Frederick A. Haist

12 Frederick A. Haist

13 Attorneys for Defendant GMAC MORTGAGE,
14 LLC (f/k/a GMAC MORTGAGE
15 CORPORATION) and HOMECOMINGS
16 FINANCIAL, LLC (f/k/a HOMECOMINGS
17 FINANCIAL NETWORK, INC.)

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ORDER

Pursuant to the stipulation of the parties and good cause appearing therefore, any reply by Homecomings and GMAC to Plaintiff's Opposition to Defendants' Motion to Dismiss the Second Amended Complaint shall be filed no later than March 18, 2010.

IT IS SO ORDERED.

2/18/10

Dated: _____



Hon. Claudia Wilken

United States District Court Judge